

**REMARKS**

Claims 30, 31, 33-41 and 44-67 are pending in this application. Claims 34-36, 39-41 and 44-48 have previously been withdrawn from consideration. By this Amendment, claims 30 and 62 are amended. Reconsideration based on the above amendments and following remarks is respectfully requested.

At this point in the prosecution, Applicants request withdrawn claims 34-36, 39-41 and 44-48 be rejoined and considered.

Applicants gratefully acknowledge the February 17, 2004 Advisory Action's indication that claims 37, 38, 56-58, 60, 61 and 64-66 are allowed, and that claim 52 would be allowable if rewritten in independent form.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

**I.     **Claims 30, 31, 33, 49-51, 53-55, 59, 62, 63 and 67 Define Patentable Subject Matter****

The Office Action rejects claims 30, 31, 33, 49, 50, 53-55, 59, 62, 63 and 67 under 35 U.S.C. §103(a) over U.S. Patent No. 5,365,357 to Ohgawara et al. (hereinafter "Ohgawara"); and claim 51 under 35 U.S.C. §103(a) over Ohgawara in view of U.S. Patent No. 4,964,702 to Sugimoto et al. (hereinafter "Sugimoto"). The rejections are respectfully traversed.

The September 24 Office Action, at top of page 4, in its statement of reasons for indication of allowable subject matter (as well as at top of page 5 when responding to arguments presented), admits that Ohgawara, alone or in combination with Sugimoto, fails to teach or suggest a liquid crystal device comprising *inter alia* a layer arranged in the second section, the layer being substantially transparent, as set forth in independent claims 30 and 62.

Applicants respectfully submit that independent claims 30 and 62 are patentable over Ohgawara. Claims 31, 33, 49-51, 53-55, 59, 63 and 67, which depend from independent claims 30 and 62 respectively, are patentable for at least the same reasons as claims 30 and 62. Applicants respectfully request that the rejections under 35 U.S.C. §103(a) be withdrawn.

## **II. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 30, 31, 33-41 and 44-67 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

George P. Simion  
Registration No. 47,089

JAO:GPS/hs

Attachment:  
Petition for Extension of Time

Date: February 24, 2004

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

|  |
|--|
| <p>DEPOSIT ACCOUNT USE<br/>AUTHORIZATION<br/>Please grant any extension<br/>necessary for entry;<br/>Charge any fee due to our<br/>Deposit Account No. 15-0461</p> |
|--|